

4-11-68

[18 U.S.C. §1341]

1. **JAMES A. IRBY (IRBY), and MIRANDA J. NELSON (NELSON)** lived at 539 NE 80th St., Apartment 7, Portland, Oregon 97213.
2. On about August 30, 2005, Hurricane Katrina caused damage to people and property in the Louisiana area. In response to this disaster the Federal Emergency Management Agency (FEMA) offered Expedited Assistance (EA). By means of the EA program FEMA was authorized to pay \$2,000 to any person who represented that he or she was displaced from their primary residence and needed shelter because of Hurricane Katrina. Relief funds were sent by United States mail from a Department of the Treasury office in Austin, Texas, or by wire transfer

authorized by FEMA. People who were eligible for such relief could also receive rental assistance in the amount of \$2,358 from FEMA.

3. During the period following Katrina to about October 1, 2005, IRBY and NELSON and others, known and unknown to the Grand Jury, devised and intended to devise a material scheme to defraud and for obtaining money by materially false and fraudulent pretenses, representations and promises (scheme). It was part of the scheme that:

4. IRBY and NELSON would apply to FEMA for Katrina disaster relief in their own names and in the names of other persons by falsely representing that the applicant was displaced from their primary residence and needed shelter because of Hurricane Katrina.

5. IRBY and NELSON would cause FEMA to mail relief checks payable to the applicants to their address or the addresses of other persons participating in the scheme.

6. On or about the date listed below for each count, in the State and District of Oregon, JAMES A. IRBY, and MIRANDA J. NELSON, defendants herein, having devised the material scheme described above and for the purpose of said scheme, did knowingly cause to be delivered by mail to the address listed below for each count, a FEMA Hurricane Katrina check in the amount listed below for each count, payable to the person listed below for each count; all in violation of Title 18, United States Code, Section 1341.

<u>Count</u>	<u>Date</u>	<u>Amount</u>	<u>Payee</u>	<u>Address</u>
1	9/15/05	\$2,000	Miranda Nelson	539 NE 80 th , Apt 7, Portland OR 97213
2	9/23/05	\$2,000	Debbie Ezumah	539 NE 80 th , Apt 7, Portland OR 97213
3	9/16/05	\$2,000	Olelia Brown	537 NE 80 th , Apt 7, Portland OR 97213

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4 9/25/05 \$2,358 Orlia Brown 537 NE 80th, Apt 7, Portland OR 97213

5 9/18/05 \$2,000 Tranell Nelson 15744 SE Stark, Apt F, Portland OR 97233

DATED this 27 day of January 2006.

A TRUE BILL.

Susan Waki
OFFICIATING FOREPERSON

Presented by:



LANCE CALDWELL, OSB #77404
Assistant United States Attorney